

COMMONWEALTH OF MASSACHUSETTS
State Building Code (780 CMR) Appeals Board
Board's Ruling on Appeal¹

Docket No. 08-665

Appellant(s): David Harris vz. Appellee(s): City/Town of Methuen
 representing Michael Rosenfeld, Inc. State Inspector John Bennett
 Architects

Procedural History

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant him a variance from 780 CMR 1014.11, for 679 Lowell Street, Methuan, MA a.k.a. the Methuen Readiness Center. In accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 *et. seq.*; and 780 CMR 122.3.4, the Board convened a public hearing on November 25, 2008 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

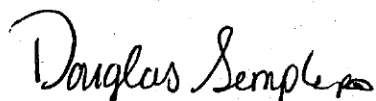
The Appellant, representing Michael Rosenfeld, Inc. Architects, appeared and testified for the hearing. Others were present as well as shown on the sign in sheet on file at the Department of Public Safety.

Discussion

After testimony was heard a motion was made to grant the Appellant's request for a variance from 780 CMR 1014.11 and allow the two open stair configurations because the building is fully sprinklered to NFPA 13 to lower fire safety risk. There was a second on the motion and a board vote was taken, which was unanimous.

Conclusion

The Appellant's request for a variance from 780 CMR 1014.11, is hereby granted and so ordered² on this date: November 25, 2008.



Douglas Semple



Dana Haagenen



Alexander MacLeod

¹ This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108

²In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.